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State of New Jersey BOARD OF PUBLIC UTILITIES.

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November 26, 2013

## Via Electronic Filing and Overnight Mail

Marlene H. Dortch Office of the Secretary Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Karen Majcher
Vice President, High Cost & Low Income Division
Universal Service Administration Company
2000 L Street, NW, Suite 200
Washington, DC 20036
E-Mail: hccerts@usac.org

Re: CC Docket No. 96-45/WC Docket No. 10-90, Annual State Certification of Support for Eligible Telecommunications Carriers Pursuant to 47 <u>C.F.R.</u> § 54.314

New Jersey Board of Public Utilities' Annual Certification for United Telephone Company of New Jersey, Inc. d/b/a CenturyLink

Dear Ms. Dortch and Ms. Majcher:

On January 2, 2013, pursuant to the New Jersey Board of Public Utilities' ("Board") Order dated November 20, 2012 in Docket No. TO12090874, United Telephone Company of New Jersey, Inc. d/b/a CenturyLink ("CenturyLink") filed with the Board a report on its use of Universal Service Support high-cost funds ("USHCS") funds.

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On June 27, 2013, pursuant to section 254(e) of the Telecommunications Act of 1996 ("the Act") and 47 <u>C.F.R.</u> § 54.314, CenturyLink filed a verified petition with the Board, under Docket No. TO12090874, requesting that the Board file a certification with the Federal Communications Commission ("FCC") and the Universal Service Fund Administrator, stating that CenturyLink's use of USHCS funds is consistent with the purposes for which such funds may be used, according to federal law, and that all federal universal fund support provided to CenturyLink within the State of New Jersey was used in the proceeding calendar year and will be used in the coming calendar year (2014) only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

## CenturyLink has filed the following information:

- A) Cost Support Response Form and supporting schedules of CenturyLink, prepared as of June 21, 2013 (schedules for 2013 pro forma and 2014 projected).
- B) Affidavit of Carrick B. Inabnett, Associate General Counsel of CenturyLink, certifying that USHCS received by CenturyLink in the preceding calendar years (2012 and 2013) have been used and will be used in the coming calendar year, only for the provision, maintenance, and upgrading of facilities and services for which such support is intended under the Act.
- C) A copy of the proof of newspaper publications of this filing in New Jersey requesting comment from the public on its use of funds.
- D) An annual report filing of FCC form 481 by CenturyLink as required by 47 <u>C.F.R.</u> § 54.313. The report provides responses, where applicable and available, to sections 54.313 (a)(2)-(6) and 54.313 (h).
- E) FCC Order released June 10, 2013 (WC Docket No. 10-90 (DA 13-1348)).

In previous years, certification of eligible telecommunications carriers ("ETC") was done by October 1 of the year of certification. On June 10, 2013, the FCC granted a limited waiver of the July 1 filing deadline for annual ETC reporting requirements with an exception. ETCs with voice service rates below the rate floor were required to file by July 1 the voice rate information required by 47 <u>C.F.R.</u> § 54.313(h). CenturyLink's rates are above the floor rate. An Order, DA 13-707, dated August 6, 2013, set October 15 for ETCs with service rates above floor rates to file a form 481 to the FCC providing outage reports, operational procedures to facilitate service

quality standards, consumer protection and functional emergency situations. Certification must be approved by December 15, 2013.

Having reviewed the petition and the information submitted in support thereof, Board Staff noted the affidavit of CenturyLink's Associate General Counsel certifying that it used and will use funds only for the provision, maintenance and upgrading of facilities and services intended. Also, given that no party has commented negatively to CenturyLink's continued use of federal USHCS funds after newspaper publications on July 28, 2013, Board Staff submits that CenturyLink used and will use the federal USHCS funds it receives during 2014 for the provision, maintenance, and upgrading of facilities and services for which such support is intended, as required by section 254(e) of the Telecommunications Act of 1996 and 47 C.F.R. § 54.101 et seq. Accordingly, I hereby submit this Certification, as authorized by the Board.

Respectfully submitted,

Anthony Centrella
Director of Telecommunications